

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/8/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UCHEMMADU A. NWAOGU,

Plaintiff,

-against-

C.O. R. MEJIA, SHIELD #6424; C.O.
WILLIAMS, SHIELD #1226; C.O. OTIS,
SHIELD #18180; CAPTAIN BARBARA,

Defendants.

25-CV-2649 (MKV)

ORDER OF SERVICE

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff, who currently is detained at the North Infirmery Command on Rikers Island, brings this action, *pro se*, under 42 U.S.C. § 1983, alleging that Defendants violated his First Amendment right to practice his religion. The Court construes the complaint as also asserting claims under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). By order dated April 4, 2025, the Court granted Plaintiff’s request to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees.¹

DISCUSSION

A. The City of New York

Because Plaintiff’s complaint implicates claims under RLUIPA, the Court directs the Clerk of Court to add the City of New York as a defendant in this action. *See* Fed. R. Civ. P. 21. This amendment is without prejudice to any defenses the City of New York may wish to assert.

¹ Prisoners are not exempt from paying the full filing fee even when they have been granted permission to proceed IFP. *See* 28 U.S.C. § 1915(b)(1).

B. Waiver of Service

The Clerk of Court is directed to notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that the City of New York; Correction Office R. Mejia, Shield #6424; Correction Officer Williams, Shield #1226; Correction Officer Otis, Shield #18180; and Captain Barbara waive service of summons.

CONCLUSION

The Clerk of Court is directed to add the City of New York as a defendant in this action. *See Fed. R. Civ. P. 21.*

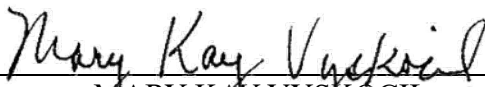
The Clerk of Court is further directed to electronically notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that Defendants the City of New York; Correction Office R. Mejia, Shield #6424; Correction Officer Williams, Shield #1226; Correction Officer Otis, Shield #18180; and Captain Barbara waive service of summons.

The Clerk of Court is also directed to mail an information package to Plaintiff.

SO ORDERED.

Dated:

New York, New York
April 8, 2025



MARY KAY VYSKOCIL
United States District Judge